

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

June 23, 2010

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Chaney, J., Johnson, J. and C. Hon, Deputy Clerk.

B218683 Mundy v. Besharat

Argument waived, cause submitted.

Each of the following:

B216848 Ellerbee v. County of Los Angeles, et al.

B212062 Gutierrez et al. v. California Commerce Club, Inc.,

B206763 Saller v. Bondex International, Inc., et al.

Matter continued to July 28, 2010.

B213665 Regency Outdoor Advertising, Inc., et al.
 v.
 Stephens, et al.

Matter continued to July 27, 2010.

DIVISION ONE (continued)

B219432 Alexander
 v.
 Biola University

Merits:
Argued by Eric R. Reed for appellant and Dennis DePalma appearing for respondent. Cause submitted.

B217536 Greene
 v.
 Cermak

Appearances:
Paul Coony, Deputy Attorney General for respondent and appellant Cedric Greene, appearing in propria persona waives oral argument. Cause submitted.

B213866 Greenspan
 v.
 LADT, LLC, et al.

Merits:
Argued by Steven Schuman for appellants and by Robin Meadow for respondent. Cause submitted.

B217607 In re the Marriage of Angela and John Bell
 Bell-Kraus
 v.
 Bell

Appearances:
Brian Brandmeyer for respondent and no appearance for appellant. Argument waived, cause submitted.

DIVISION ONE (continued)

B215551 Sawaya
 v.
 Coldwell Banker Residential Brokerage Company

Merits:

Argued by Robert K. Kent for appellant and by Carlos Yguico for respondent. Cause submitted.

Chaney, J. leaves the bench.

B214685 Khan
 v.
 Los Angeles City Employees' Retirement System

Merits:

Argued by Mary Jo Curwen, Deputy City Attorney for appellant and by Saskia T. Asamura for respondent. Cause submitted.

B215764 Zamora
 v.
 Yukelson, et al.

Merits:

Argued by William H. Ford, III for appellant and by Frank D. Hobbs and Mark T. Drooks for respondents. Cause submitted.

Court adjourned.

DIVISION THREE

B214639 People (Not for Publication)
v.
Joshua Jamal Hooper

The judgments are affirmed.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

[illegible]

The judgment is affirmed, except that appellant's sentence (including any monetary amounts imposed upon appellant for payment) is vacated and the matter is remanded for resentencing consistent with this opinion. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment.

Kitching, J.

We concur: Klein, P.J.
Aldrich, J.

B212538 People (Not for Publication)
v.
Timothy Joseph McGhee

The Judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (continued)

B209861 Smith (Not for Publication)
v.
City of Los Angeles, et al.

The trial court's order sustaining the demurrer with regard to the ninth cause of action for declaratory relief is affirmed. The trial court's order sustaining the demurrer with regard to the tenth cause of action for injunctive relief is reversed. The order denying Smith's motion for a new trial is reversed. The matter is remanded to the trial court for further proceedings involving Smith's causes of action for hostile work environment, retaliation, and injunctive relief. On remand, the trial court is directed to decide if any individual defendant is a proper party to the hostile work environment cause of action. We deny the City's request to take judicial notice of the July 17, 2009, federal court memorandum. The exhibit attached to Smith's appellate reply brief is ordered stricken.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B216438 Roos (Not for Publication)
v.
Roos

The judgment is affirmed. The order dated April 27, 2009, is affirmed. Michael Roos is awarded costs on appeal.

Kitching, J.

We concur: Klein, P.J.
Croskey, J.

DIVISION FIVE

B217675 People (Not for Publication)
 v.
 Jose L. Olmos

The judgment is affirmed.

Kriegler, J.

We concur: Turner, P.J.
 Mosk, J.

B215691 People
 v.
 Jared Green

Filed order denying petition for rehearing.

DIVISION SIX

B214425 People (Not for Publication)
 v.
 Adrian Monasterios

The judgment is modified to show an additional 170 days of presentence custody credit. In all other respects, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections and Rehabilitation.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

DIVISION FIVE (continued)

B222246 R.W. (Not for Publication)

v.

Ventura County Superior Court
(Ventura County Human Services Agency)

The petition is dismissed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

B216531 Barrett, et al. (Not for Publication)

v.

County of Ventura

The judgment is affirmed. Respondent shall recover costs on appeal.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

B218752 Santa Barbara Co. Child Welfare Services (Not for Publication)

v.

Carmelita G.

The order is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

DIVISION SIX (continued)

B217743 Schaffer (Certified for Publication)

v.

Superior Court of Ventura Co.

(The People)

The petition for writ of mandate is denied. The order to show cause, having served its purpose, is discharged.

Coffee, J.

We concur: Gilbert, P.J.
 Perren, J.

B214129 People (Not for Publication)

v.

Samuel Castro

The judgment shall be modified to impose a court security fee of \$60, and the trial court shall prepare an amended abstract of judgment to that effect to be transmitted to the Department of Corrections. Otherwise, the judgment is affirmed.

Perren, J.

We concur: Yegan, Acting P.J.
 Coffee, J.

B213858 People (Not for Publication)

v.

Barber

The judgment is affirmed.

Perren, J.

We concur: Gilbert, P.J.
 Yegan, J.

DIVISION SIX (continued)

B215917 Hartmann (Certified for Publication)
 v.
 Hartmann

The judgment (order) is affirmed. Costs on appeal are awarded to Husband.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

DIVISION SEVEN

B21951 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Jimmie C.

The portion of the July 27, 2009 order regarding Father's visitation with Lisa, Cynthia, and Jimmie is reversed, and the matter is remanded to the juvenile court to conduct a new hearing on the issue of visitation consistent with this opinion. In all other respects, the July 27, 2009.

Zelon, J.

We concur: Woods, Acting P.J.
 Jackson, J.

B216130 Amber Morgan (Not for Publication)
 v.
 United Retail Incorporated

The judgment is affirmed. United Retail shall recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION SEVEN (continued)

B217044 Estes Express Lines, Inc. (Not for Publication)
 v.
 Production Chemical Manufacturing

The judgment is affirmed. Respondent is to recover its costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

B212219 People (Not for Publication)
 v.
 Hernandez

The judgment is affirmed.

Zelon, J.

We concur: Perluss, P.J.
 Jackson, J.

B209910 Lawfund Managment Group, et al. (Not for Publication)
 v.
 Bohbot, et al.

The judgment is affirmed. Respondents shall recover their costs on appeal.

Zelon, J.

We concur: Perluss, P.J.
 Woods, J.

DIVISION EIGHT

B217929 People v. Carlso R. Brocatto (Not for Publication)
B213680 In re Carlos R. Brocatto on Habeas Corpus

The judgment is affirmed, and the petition for a writ of habeas corpus is denied.

Flier, J.

We concur: Rubin, Acting P.J.
 Grimes, J.

B218966 People (Not for Publication)
 v.
 Lee Sidney Allen

The judgment is affirmed.

Grimes, J.

We concur: Bigelow, P.J.
 Flier, J.

B211454 People v. Sang Min Kim (Not for Publication)
B217265 In re Sang Min Kim on Habeas Corpus

The judgment is affirmed and the petition for writ of habeas corpus is denied.

Bigelow, P.J.

We concur: Flier, J.
 Grimes, J.

DIVISION EIGHT (continued)

B214432 Bandero, LLC (Not for Publication)
 v.
 Jeffrey Scott Klein, et al.

The judgment is affirmed. Respondent(s) to recover costs.

Flier, J.

We concur: Bigelow, P.J.
 Rubin, J.

B211388 Roger M. Lindmark (Not for Publication)
 v.
 Milberg Weiss, LLP., et al.
B214044 Roger M. Lindmark
 v.
 Henry T. Heuer, et al.

The judgments are affirmed. Respondents are to recover their costs on appeal in B211388 and B214044.

Flier, J.

We concur: Bigelow, P.J.
 Grimes, J.